

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 09-12999

Hon. Marianne O. Battani

v.

Magistrate Judge Virginia M. Morgan

STONEY BRADLEY,

Defendant,

and

INTERSTATE BRANDS CORPORATION
and MICHIGAN DEPARTMENT OF
TREASURY,

Garnishees.

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND
VACATING STAY OF GARNISHEE ORDER**

Plaintiff, United States of America, filed a complaint to collect monies owed by Defendant Stoney Bradley on two student loans he obtained in 1983 and 1984. (Doc. 1). On January 4, 2010, after Bradley failed to respond to the lawsuit, Plaintiff successfully obtained a default judgment. (Doc. 7, 8, 9, 10). On June 29, 2010 the Court issued continuing writs of garnishment to Bradley's employer, Interstate Brands Corporation and to the Michigan Department of Treasury. (Doc.15,16). The Court subsequently ordered Interstate Brands to garnish 25 percent of Bradley's disposable wages and pay it to the United States Department of Justice. (Doc. 20). On August 12, 2010 after the time to request a hearing had passed, Bradley objected to the writs and requested a hearing. (Doc. 22,23). The Court referred the case to Magistrate Judge Virginia M. Morgan for a

hearing on Bradley's objections to the writs of garnishment. (Doc. 24). The Court stayed the garnishee order pending a decision on the report and recommendation. (Doc. 28).

On September 29, 2010, the Magistrate Judge recommended that the Court overrule Bradley's objections to the writs of garnishment. (Doc. 29). The Magistrate Judge informed the parties that objections to the R&R must be filed within fourteen days of service and that a party's failure to file objections would waive any further right of appeal. See, (Doc.29 at 3); 28 U.S.C. § 636(b)(1); E.D. Mich. LR 72.1(d)(2); Thomas v. Arn, 474 U.S. 140 (1985).

Because no objection has been filed in this case, the parties waived their right to review and appeal. Accordingly, the Court **ADOPTS** the Report and Recommendation (Doc. 29) and **VACATES** the Order Staying Garnishee Order Pending Decision On The Report and Recommendation (Doc. 28).

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATED: October 26, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served upon Plaintiff and counsel of record on this date by ordinary mail and/or electronic filing.

s/Bernadette M. Thebolt
Case Manager